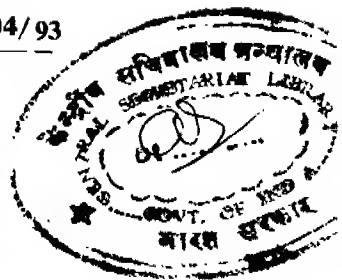




भारत का राजपत्र The Gazette of India



असाधारण
EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 66]

नई दिल्ली, शनिवार, अप्रैल 3, 1993/चैत्र 13, 1915

No. 66]

NEW DELHI, SATURDAY, APRIL 3, 1993/CHAITRA 13, 1915

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 3rd April, 1993/Chaitra 13, 1915 (Saka)

The following President's Act is published for general information:—

THE MADHYA PRADESH ADHYAKSHA TATHA
UPADHYAKSHA TATHA NETA PRATIPAKSHA (VETAN
TATHA BHATTA) LAWS (AMENDMENT) ACT, 1993

No. 9 OF 1993

Enacted by the President in the Forty-fourth Year of the
Republic of India.

An Act further to amend the Madhya Pradesh Adhyaksha Tatha
Upadhyaksha (Vetan Tatha Bhatta) Adhiniyam, 1972 and
the Madhya Pradesh Vidhan Mandal Neta Pratipaksha
(Vetan Tatha Bhatta) Adhiniyam, 1980.

In exercise of the powers conferred by section 3 of the Madhya Pradesh
State Legislature (Delegation of Powers) Act, 1993, the President is pleased to enact as follows:—

1. (1) This Act may be called the Madhya Pradesh Adhyaksha Tatha
Upadhyaksha Tatha Neta Pratipaksha (Vetan Tatha Bhatta) Laws
(Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 25th day of
January, 1993.

Short
title and
com-
mence-
ment.

PART I

AMENDMENT TO THE MADHYA PRADESH ADHYAKSHA TATHA
UPADHYAKSHA (VETAN TATHA BHATTA) ADHINIYAM, 1972

(No. 27 of 1972)

Substi-
tution
of new
section
for
section 3.

2. For section 3 of the Madhya Pradesh Adhyaksha Tatha Upadhyaksha (Vetan Tatha Bhatta) Adhiniyam, 1972, the following section shall be substituted, namely:—

Sump-
tuary
allow-
ance,
consti-
tuency
allow-
ance
and daily
allow-
ance to
the
Speaker
and the
Deputy
Speaker.

"3. (1) There shall be paid to the Speaker a sumptuary allowance of one thousand five hundred rupees per mensem and to the Deputy Speaker a sumptuary allowance of seven hundred and fifty rupees per mensem.

(2) There shall be paid to the Speaker and the Deputy Speaker a constituency allowance of three thousand rupees per mensem.

(3) There shall be paid to the Speaker and the Deputy Speaker a daily allowance of one hundred fifty rupees per day."

PART II

AMENDMENT TO THE MADHYA PRADESH VIDHAN MANDAL NETA
PRATIPAKSHA (VETAN TATHA BHATTA) ADHINIYAM, 1980

(No. 8 of 1980)

Substi-
tution
of new
section
for
section
4.

3. For section 4 of the Madhya Pradesh Vidhan Mandal Neta Pratipaksha (Vetan Tatha Bhatta) Adhiniyam, 1980, the following section shall be substituted, namely:—

Sump-
tuary
allow-
ance,
consti-
tuency
allow-
ance
and daily
allow-
ance to
the Neta
Prati-
paksha.

"4. (1) There shall be paid to the Neta Pratipaksha a sumptuary allowance of one thousand five hundred rupees per mensem.

(2) There shall be paid to the Neta Pratipaksha a constituency allowance of three thousand rupees per mensem.

(3) There shall be paid to the Neta Pratipaksha a daily allowance of one hundred fifty rupees per day."

Ord. 18
of 1993.

4. (1) The Madhya Pradesh Adhyaksha Tatha Upadhyaksha Tatha Neta Pratipaksha (Vetan Tatha Bhatta) Laws (Amendment) Ordinance, 1993 is hereby repealed.

Repeal
and
saving.

M.P.
Act
27 of 1972.

M.P. Act
8 of 1980.

(2) Notwithstanding such repeal, anything done or any action taken under the Madhya Pradesh Adhyaksha Tatha Upadhyaksha (Vetan Tatha Bhatta) Adhiniyam, 1972 and the Madhya Pradesh Vidhan Mandal Neta Pratipaksha (Vetan Tatha Bhatta) Adhiniyam, 1980 (hereinafter referred to as the Principal Acts), as amended by the said Ordinance shall be deemed to have been done or taken under the Principal Acts, as amended by this Act.

SHANKER DAYAL SHARMA,

President.

B. R. ATRE,

Joint Secy. to the Govt. of India.

Reasons for the enactment

The State of Madhya Pradesh increased sumptuary allowance, constituency allowance and daily allowance to the Ministers, Ministers of State, etc., with effect from the 28th October, 1992. The Adhyaksha and Neta Pratipaksha have been given the status of a Minister and the Upadhyaksha the status of a Minister of State. As the aforesaid allowances to Ministers and Ministers of State have been increased, it was considered desirable to provide the same increased allowances to the Adhyaksha, Upadhyaksha and Neta Pratipaksha. As the Madhya Pradesh Vidhan Sabha was not in session, the Madhya Pradesh Adhyaksha Tatha Upadhyaksha Tatha Neta Pratipaksha (Vetan Tatha Bhatta) Vidhi Sanshodhan Adhyadesh, 1992 was promulgated by the Governor on the 28th October, 1992.

2. The President issued a proclamation on the 15th December, 1992 under article 356 of the Constitution, in relation to the State of Madhya Pradesh, declaring, *inter alia*, that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament. The Madhya Pradesh Adhyaksha Tatha Upadhyaksha Tatha Neta Pratipaksha (Vetan Tatha Bhatta) Vidhi Sanshodhan Adhyadesh, 1992 would have ceased to be in force on the 25th January, 1993 i.e. after expiry of six weeks from the date of proclamation issued by the President. Therefore, it became necessary to extend the provisions of the aforesaid Ordinance so that the beneficiaries could continue to get the same allowances. As the Parliament was not in session at the time of expiry of six weeks from the date of proclamation issued by the President, it became necessary to promulgate a fresh Ordinance by the President in exercise of the powers conferred by clause (1) of article 123 of the Constitution. Accordingly the Madhya Pradesh Adhyaksha Tatha Upadhyaksha Tatha Neta Pratipaksha (Vetan Tatha Bhatta) Laws (Amendment) Ordinance, 1993 was promulgated by the President on the 25th January, 1993.

3. The proposed legislation seeks to replace the said Ordinance.

4. Parliament has under article 357(1) (a) of the Constitution, conferred on the President, the powers of the Legislature of the State to make laws *vide* the Madhya Pradesh State Legislature (Delegation of Powers) Act, 1993.

5. In view of the urgency of the matter, it is not practicable to consult the Consultative Committee on Madhya Pradesh legislation to be constituted under the above Act. The legislation is accordingly being enacted without reference to the Consultative Committee.

M. M. RAJENDRAN,
Secy. to the Govt. of India,
Ministry of Parliamentary Affairs.